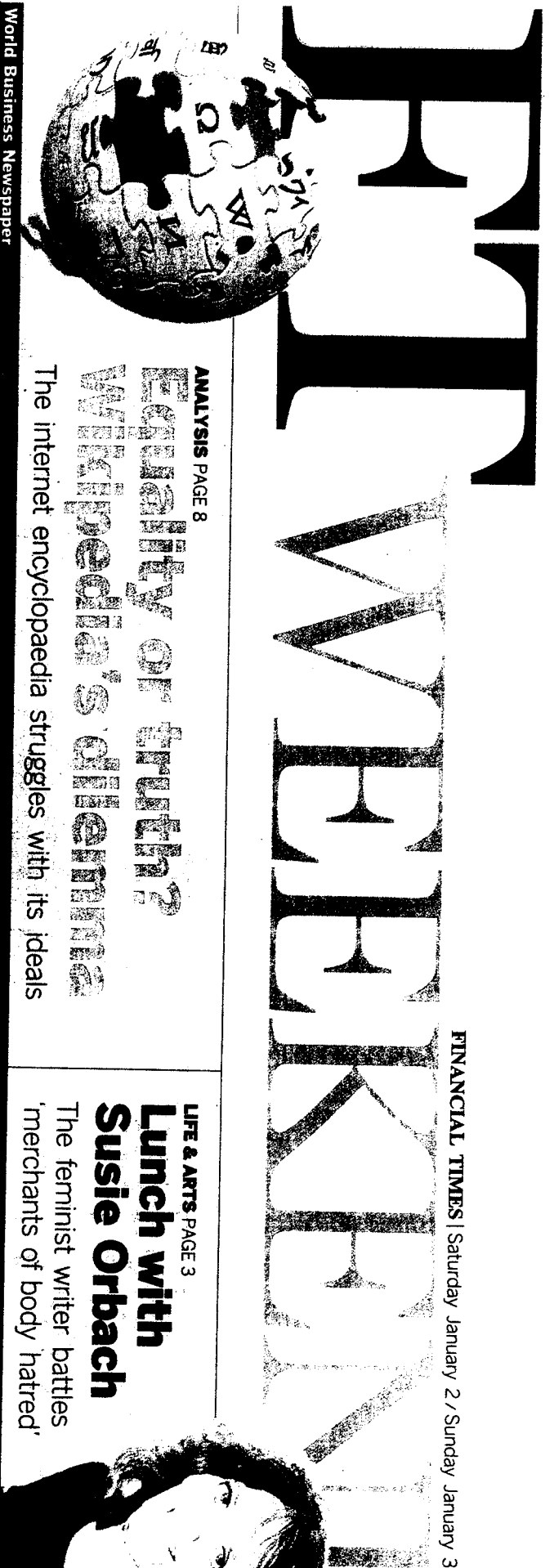


EXHIBIT 1

FINANCIAL TIMES | Saturday January 2 / Sunday January 3



World Business Newspaper

'I've been in detention for years – and I'm a teacher'

First Person: David Pakter reveals how he must wait in New York's so-called rubber rooms to clear his name

When I began teaching in New York City 37 years ago, if you were reported for serious misconduct, you were sent to a Board of Education office until the matter was resolved. But as the system grew, removing teachers from the classroom became standard for even the most trivial offence. The board's offices got so crowded, they began leasing buildings around the city to use as "reassignment centres," nicknamed "rubber rooms".

As many as 800 to 1,000 teachers are in rubber rooms on any given day. It's an academic Guantanamo Bay. Many go stir-crazy. When I was first sent to one of these rubber rooms, it took me six months to establish what the complaints were. Meanwhile, like everyone else, I turned up every day, kept the same hours and received my salary. But there was nothing to do except wait. It's known as constructive termination. In the worst rubber rooms, there are people who've been there for up to five years.

When I started teaching, I worked at one of the jewels in the crown of the school system. As the years went by, the curriculum was whittled down. Gradually it became just another fifth-rate school.

I began teaching medical illustration as part of my art course and tried to attract the most gifted kids. I wanted to fill in the gaps and, eventually, I was teaching them about opera, ballet, philosophy and astronomy. I devoted the last 10 minutes of each day to French.

Word got around and other students wanted to learn French. It was an unworkable situation and I was ordered to stick to the medical illustration. Somehow I'd gone from winning a teacher-of-the-year award to being a thorn in the side of the school. One of the other things I argued about was music provision – all schools must have one music teacher by law.

In 2004, term had just started when I saw a woman setting up a music room. I assumed that my complaining had paid off, but the class was for the adjacent primary school – they were expanding into our building. I couldn't believe it. I filmed the class, with the teacher's permission, to document the fact that kids from another school were being taught a subject in the place where our own students were denied it. The next day I was handed a letter telling me that "pending an investigation following an allegation made against you, you are to report to a temporary reassignment centre until further notice".

I finally discovered that the reasons for my being sent to the rubber room were "fundraising activities and collection of money from students". The allegation was thrown out but the board of education has a right to send you for a psychiatric exam regardless. It took me a year to force the city to agree to an impartial medical arbitration. I was vindicated but by then everything I had built was torn apart. There was no one to take my place and, from what I've heard, some of my pupils never fulfilled their promise.

I was sent to a new school as a substitute but soon they pulled me out again. I found out what the new charges were: bringing plants to school without permission and giving watches I had designed myself to students on the honour roll – which constituted promotion of a private business. But the kids wouldn't have been able to afford to buy them themselves.

I've been assigned to a rubber room in Harlem for the past two years – with no available drinking water, no natural light, no plants and poor ventilation – just waiting to clear my name.

As told to Cian Traynor



David Pakter

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First person David Pakter

"I've been in detention for years – and I'm a teacher"



David Pakter, who went from winning a teacher-of-the-year award to being a thorn in the side of the school



WHEN I BEGAN TEACHING IN NEW YORK CITY 37 YEARS AGO, IF YOU WERE REPORTED FOR

serious misconduct, you were sent to a Board of Education office until the matter was resolved. But as the system grew, removing teachers from the classroom became standard for even the most trivial offence. The board's offices got so crowded they began leasing buildings around the city to use as "reassignment centres", nicknamed "rubber rooms".

As many as 800 to 1,000 teachers are in rubber rooms on any given day; it's an academic Guantánamo Bay. Many go stir-crazy. Brooklyn's Chapel Street rubber room is huge but so crowded that people are almost falling out of the windows.

When I was first sent to one of these rubber rooms, it took me six months to establish what the complaints were. Meanwhile, like everyone else, I turned up every day, kept the same hours and received my salary. But there was nothing to

do except wait. It's known as constructive termination. In the worst rubber rooms, there are people who've been there for up to five years.

When I started teaching in New York City, I worked at a school that was one of the jewels in the crown of the school system. As the years went by, the curriculum was whittled down. We taught four languages when I started, but gradually it became just another fifth-rate school. Eventually, Spanish was the only foreign language taught – in a school where most kids are Hispanic.

I began teaching medical illustration as part of my art course and tried to attract the most gifted kids. I wanted to fill in the gaps and eventually I was teaching them about opera, ballet, philosophy and astronomy. I devoted the last 10 minutes of each day to French – I bought the books myself.

Word got around and other students wanted to learn French. Parents were calling the school. It was an unworkable situation and I was ordered to stick to the medical illustration. Somehow I'd gone from winning a teacher-of-the-year award to being a thorn in the side of the school. One of the other things I argued about was music provision – all schools must have one music teacher by law.

In 2004, term had just started when I saw a woman setting up a music room. I assumed that my complaining had paid off, but the class was for the adjacent primary school – they were expanding into our building. I couldn't believe it. I filmed the class, with the teacher's permission, to document the fact that kids from another school were being taught a subject in the place where our own students were denied it. The next day I was handed a letter telling me "pending an investigation following an allegation made against you, you are to report to a temporary reassignment centre until further notice".

I finally discovered that the reasons for my being sent to the rubber room were "fundraising activities and collection of money from students". The allegation was thrown out, but the board of education has a right to send you for a psychiatric exam regardless. It took me a year to force the city to agree to an impartial medical arbitration. I was vindicated but by then everything I had built was torn apart. There was no one to take my place and, from what I've heard, some of my pupils never fulfilled their promise.

I was sent to a new school as a day-to-day substitute but soon they pulled me out again. It took a year before I found out what the new charges were: bringing plants to school without permission and giving watches I had designed myself to students on the honour roll – which constituted promotion of a private business. But the kids wouldn't have been able to afford to buy them themselves.

I've been assigned to a rubber room in Harlem for the past two years – with no available drinking water, no natural light, no plants and poor ventilation – just waiting to clear my name.

As told to Cian Traynor.

EXHIBIT 2

REGULAR PAYROLL

CHK DISP: I ISSUED BY PMS

SSN : 071-36-3213 EIS ID : 0407530 NAME: PAKTER D L
CK DIST : 02M630 JOB SEQ NUM: 1 PMS ID : 0644000
PENS NUM: 668800 PEN DES/DESC: T TEACHERS RETIREMENT
MAR STAT FED/ST: A / A EXEMPT FED/ST: 2 / 2 CK DATE: 10/15/09
SALARY : 100,049.00 CK NUM : Q40833726 CK TYP: REGULAR CHECK
YTD : 79,205.49 FICA CLASS : C
CURRENT CHK AMTS ----> GROSS: 4,168.71 NET: 2,618.88 DED: 1,549.83

----- DEDUCTION INFORMATION -----

CODE	DESCRIPTION	AMOUNT	CODE	DESCRIPTION	AMOUNT
6010	FICA TX EMPE	258.46-			
6012	MDICARE-EMPE	60.45-			
6015	FED WTHD	796.50-			
6020	ST WTHD	243.75-			
6030	NYC WTHD	142.62-			
7726	UFT	48.05-			

F1/HELP F3/PR MENU F5/PR SCR PF6/YTD F7/BK F8/FWD F10/PREV PPD F11/NXT PPD

Ect.

CHK DISP: I ISSUED BY PMS

SSN : 071-36-3213

EIS ID : 0407530

NAME: PAKTER

D L

CK DIST : 02M630

JOB SEQ NUM: 1

PMS ID : 0644000

PENS NUM: 668800

PEN DES/DESC: T TEACHERS RETIREMENT

MAR STAT FED/ST: A / A

EXEMPT FED/ST: 2 / 2

CK DATE: 10/30/09

SALARY : 100,049.00

CK NUM : Q40851564

CK TYP: REGULAR CHECK

YTD : 83,374.20

FICA CLASS : C

CURRENT CHK AMTS ----> GROSS: 4,168.71 NET: 2,618.88 DED: 1,549.83

----- DEDUCTION INFORMATION -----

CODE	DESCRIPTION	AMOUNT	CODE	DESCRIPTION	AMOUNT
6010	FICA TX EMPE	258.46-			
6012	MDICARE-EMPE	60.45-			
6015	FED WTHD	796.50-			
6020	ST WTHD	243.75-			
6030	NYC WTHD	142.62-			
7726	UFT	48.05-			

NEXT PAY DATE DISPLAYED

F1/HELP F3/PR MENU F5/PR SCR PF6/YTD

F7/BK F8/FWD F10/PREV PPD F11/NXT PPD

Oct.

REGULAR PAYROLL

CHK DISP: I ISSUED BY PMS
SSN : 071-36-3213 EIS ID : 0407530 NAME: PAKTER D L
CK DIST : 02M630 JOB SEQ NUM: 1 PMS ID : 0644000
PENS NUM: 668800 PEN DES/DESC: T TEACHERS RETIREMENT
MAR STAT FED/ST: A / A EXEMPT FED/ST: 2 / 2 CK DATE: 11/16/09
SALARY : 100,049.00 CK NUM : Q40869737 CK TYP: REGULAR CHECK
YTD : 87,542.91 FICA CLASS : C
CURRENT CHK AMTS - - - -> GROSS: 4,168.71 NET: 2,618.89 DED: 1,549.82

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6012	MDICARE-EMPE	60.44-			
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6020	ST WTHD	243.75-			
6030	NYC WTHD	142.62-			
7726	UFT	48.05-			

REGULAR PAYROLL

CHK DISP: 1 ISSUED BY PMS
SSN : 071-36-3213 EIS ID : 0407530 NAME: PAKTER D L
CK DIST : 02M630 JOB SEQ NUM: 1 PMS ID : 0644000
PENS NUM: 668800 PEN DES/DESC: T TEACHERS RETIREMENT
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DEDUCTION INFORMATION

CODE	DESCRIPTION	AMOUNT	CODE	DESCRIPTION	AMOUNT
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6012	MDICARE-EMPE	60.45-			
6015	FED WTHD	796.50-			
6020	ST WTHD	243.75-			
6030	NYC WTHD	142.62-			
7645	TR PN LNS	587.26-			
7726	UFT	48.05-			

NEXT PAY DATE DISPLAYED

F1/HELP F3/PR MENU F5/PR SCR PF6/YTD F7/BK F8/FWD F10/PREV PPD F11/NXT PPD

REGULAR PAYROLL

CHK DISP: I ISSUED BY PMS
 SSN : 071-36-3213 EIS ID : 0407530 NAME: PAKTER D L
 CK DIST : 02M630 JOB SEQ NUM: 1 PMS ID : 0644000
 PENS NUM: 668800 PEN DES/DESC: T TEACHERS RETIREMENT
 MAR STAT FED/ST: A / A EXEMPT FED/ST: 2 / 2 CK DATE: 12/15/09
 SALARY : 100,049.00 CK NUM : Q40903254 CK TYP: REGULAR CHECK
 YTD : 92,545.37 FICA CLASS : C
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DEDUCTION INFORMATION					
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6015	FED WTHD	27.85-			
6020	ST WTHD	19.03-			
6030	NYC WTHD	12.69-			
7645	TR PN LNS	587.26-			
7726	UFT	48.05-			

NEXT PAY DATE DISPLAYED
 F1/HELP F3/PR MENU F5/PR SCR PF6/YTD F7/BK F8/FWD F10/PREV PPD F11/NXT PPD

CHK DISP: I ISSUED BY PMS
SSN : 071-36-3213 EIS ID : 0407530 NAME: PAKTER D L
CK DIST : 02M630 JOB SEQ NUM: 1 PMS ID : 0644000
PENS NUM: 668800 PEN DES/DESC: T TEACHERS RETIREMENT
MAR STAT FED/ST: A / A EXEMPT FED/ST: 2 / 2 CK DATE: 12/30/09
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DEDUCTION INFORMATION					
CODE	DESCRIPTION	AMOUNT	CODE	DESCRIPTION	AMOUNT
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6012	MDICARE-EMPE	12.09-			
6015	FED WTHD	27.85-			
6020	ST WTHD	19.03-			
6030	NYC WTHD	12.69-			
7645	TR PN LNS	587.26-			
7726	UFT	48.05-			
NEXT PAY DATE DISPLAYED					
F1/HELP F3/PR MENU F5/PR SCR PF6/YTD			F7/BK F8/FWD F10/PREV PPD F11/NXT PPD		

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REGULAR PAYROLL

CHK DISP: I ISSUED BY PMS

SSN : 071-36-3213 EIS ID : 0407530 NAME: PAKTER D L

CK DIST : 02M630 JOB SEQ NUM: 1 PMS ID : 0644000

PENS NUM: 668800 PEN DES/DESC: T TEACHERS RETIREMENT

MAR STAT FED/ST: A / A EXEMPT FED/ST: 2 / 2 CK DATE: 11/16/09

SALARY : 100,049.00 CK NUM : Q40869737 CK TYP: REGULAR CHECK

YTD : 87,542.91 FICA CLASS : C

CURRENT CHK AMTS ----> GROSS: 4,168.71 NET: 2,618.89 DED: 1,549.82

DEDUCTION INFORMATION

CODE	DESCRIPTION	AMOUNT	CODE	DESCRIPTION	AMOUNT
6010	FICA TX EMPE	258.46-			
6012	MDICARE-EMPE	60.44-			
6015	FED WTHD	796.50-			
6020	ST WTHD	243.75-			
6030	NYC WTHD	142.62-			
7726	UFT	48.05-			

F1/HELP F3/PR MENU F5/PR SCR PF6/YTD F7/BK F8/FWD F10/PREV PPD F11/NXT PPD

CHK DISP: I ISSUED BY PMS
 SSN : 071-36-3213 EIS ID : 0407530 NAME: PAKTER D L
 CK DIST : 02M630 JOB SEQ NUM: 1 PMS ID : 0644000
 PENS NUM: 668800 PEN DES/DESC: T TEACHERS RETIREMENT
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DEDUCTION INFORMATION					
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6030	NYC WTHD	12.69-			
7645	TR PN LNS	587.26-			
7726	UFT	48.05-			

NEXT PAY DATE DISPLAYED
 F1/HELP F3/PR MENU F5/PR SCR PF6/YTD F7/BK F8/FWD F10/PREV PPD F11/NXT PPD

EXHIBIT 3

